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DEPARTMENT OF NATURAL RESOURCES

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 HOWARD A. TANNER, Director

July 19, 1977

US EPA RECORDS CENTER REGION 5



Mr. Larry R. Davidson
 Planning Coordinator
 Township of Grosse Ile
 3341 Macomb
 Grosse Ile, Michigan 48138

Re: B.A.S.F. - Wyandotte Corporation
 Point Hennepin Sinkholes

Dear Mr. Davidson:

This letter is in further response to our recent telephone conversation concerning the above subject and your letter addressed to Roger Hack of this office and to Dr. Dennis Tierney of the Office of Program Review and Project Clearance. We understand that several other letters may have been distributed to other staff of the Department of Natural Resources and perhaps you have already received their responses.

As we indicated, ~~a state permit has been granted to the corporation pursuant to authority of the Inland Lakes and Streams Act.~~ A copy of this permit and a letter of transmittal was forwarded to Grosse Ile Township under date of June 29. Hopefully, you have received this document by this time.

This office has been involved off and on for the past two years concerning the sinkhole problem. ~~We have met previously with corporation officials and other members of the Department, including staff geologists and officials of the U.S. Corps of Engineers.~~ ~~It was our early recommendation that these~~ sinkholes be utilized for the deposition of dredged spoils coming from the Rouge River and Detroit River channels. Our primary interest was to use these sinkholes as a contained area without the necessity of having to impact on other wetlands or public waters in the lower Detroit River area.

We will, however, attempt to answer the questions raised in your letter. Our answers will be related to the numbered questions used in your letter.

1. We assume that the quality of dredged materials would vary from place to place within the Detroit River and the Rouge River. It is our understanding that the Rouge River materials are some of the most polluted materials handled by the Corps of Engineers. ~~We suggest you contact the Corps concerning their experiences with placing polluted spoils on Grassy Island.~~ You may wish to personally inspect the Grassy Island diked spoil area just north of Point Hennepin to determine for yourself the nature of these polluted materials. ~~The effluent coming from this site has been monitored by E.P.A. and found to be as good or better than the receiving water.~~

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2. We have no special concerns of the deposition of Rouge River dredge spoils, other than ultimately we would prefer to see the site capped off with fertile materials so that vegetation could cover the area and serve some useful public purpose.
3. We have no recommendations as to tests that should be undertaken prior to disposal of these spoils. Again, we believe that you may be able to satisfy yourself by contacting the Corps of Engineers for reports that have been developed on Grassy Island.
4. We have no knowledge that Rouge River dredge spoils are unsafe for human contact.
5. We have no information as to what may happen to the area after it has been filled for 25 years. It would appear desirable to ultimately utilize the area for public recreational purposes than residential (our opinion).
6. & 7. Our authority in this project is limited to the larger sinkhole, which we understand is greater than 5 acres in size and, hence, the permit granted by this office. However, there is some feeling that a sinkhole would not legally constitute a public water as defined under the Inland Lakes and Streams Act.
8. Our authority under the above statute is not contingent upon approval of any other agency or commission. All applications for permits are reviewed by both divisional and field staff of the department and other state departments and local authorities.
9. Our permit does not provide for any monitoring, except as are alluded to in the specific conditions in the permit; i.e. it will be the responsibility of the Water Quality Control Division to review any discharge of effluent into the Detroit River. We would be responsible for field inspection, depending on availability of staff to monitor the actual deposition of materials into the sinkhole.
10. If the conditions of this permit are violated, it would be our responsibility to put the corporation on notice and provide them for a formal hearing to consider the revocation of their permit. This procedure is granted pursuant to the Administrative Procedures Act (Act 306 of 1969). We can also proceed through the County Prosecutor's office for a criminal warrant.
11. Our permit has been extended to December 31, 1978. It may be extended for one year beyond that time if necessary.

We hope that these comments may be of some assistance to your township in making its decision on the ultimate filling of these sinkholes. For your information we are enclosing a copy of the Inland Lakes and Streams Act and rules.

Sincerely,

BUREAU OF LAND & WATER MANAGEMENT
Water Management Division

W. C. Nielsen
W. C. Nielsen, Chief

Submerged Lands Management Section

MCN/cw

cc: A. Barick, J. Walls,
R. Rasmussen, D. Granger